

1
2
3
4
5
6
7

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

11 ANTHONY J. ALLEN, JR.

No. 2:22-CV-0011-DMC-P

12 Petitioner,

ORDER

14 THE PEOPLE OF THE STATE OF CALIFORNIA,

Respondent.

18 Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of
19 habeas corpus under 28 U.S.C. § 2254. Petitioner has not filed a complete application to proceed
20 in forma pauperis, along with a “certification from the warden or other appropriate officer of the
21 place of confinement showing the amount of money or securities that the petitioner has in any
22 account in the institution” as required by Rule 3(a)(2) of the Federal Rules Governing Section
23 2254 Cases, or paid the required filing fee. See 28 U.S.C. §§ 1914(a), 1915(a). Petitioner will be
24 provided the opportunity to submit either a completed application to proceed in forma pauperis,
25 with the required certification, or pay the appropriate filing fee. As to the certification
26 requirement, while a copy of Petitioner’s prison trust account statement certified by prison
27 officials is not required to satisfy the requirement, such a statement will suffice. Petitioner is
28 warned that failure to comply with this order may result in the dismissal of this action for lack of

1 prosecution and failure to comply with court rules and orders. See Local Rule 110.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. Petitioner shall submit on the form provided by the Clerk of the Court,
4 within 30 days from the date of this order, a complete application for leave to proceed in forma
5 pauperis, with the certification required by Rule 3(a)(2), or pay the appropriate filing fee; and

6 2. The Clerk of the Court is directed to send Petitioner a new form
7 Application to Proceed In Forma Pauperis By a Prisoner.

8
9 Dated: January 20, 2022


10 DENNIS M. COTA
11 UNITED STATES MAGISTRATE JUDGE

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28